

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

RONDA RUSSELL and
NEPHRA RUSSELL,

Plaintiffs,

vs.

PITTSBURGH PUBLIC SCHOOLS,
and CONROY EDUCATION CENTER,
KAYE CUPPLES, RUDLEY MRVOUS,
MICHELE VENTURA,

Defendants.

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) **2:05cv27**
) **Electronic Filing**

) Judge David S. Cercone/
) Magistrate Judge Sensenich
) Re: Doc. No. 12
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MEMORANDUM ORDER

On January 18, 2005, this case was referred to United States Magistrate Judge Ila Jeanne Sensenich for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 71.1.3 and 72.1.4 of the Local Rules for Magistrates.

The magistrate judge's report and recommendation, filed on November 17, 2005, recommended that the motion to dismiss filed by Defendants be granted, and that this action be dismissed without prejudice. The parties were allowed ten (10) days from the date of service to file objections. Service was made on all parties. Objections to the report and recommendation, in the form of a document entitled "Emergency Motion to Amend Complaint to cure deficiencies in Complaint" (Doc. No. 29), were filed by

Plaintiffs on November 28, 2005.¹ After de novo review of the pleadings and documents in the case, together with the report and recommendation and objections thereto, the following order is entered:

AND NOW, this 3rd day of January, 2006;

IT IS HEREBY ORDERED that the motion to dismiss filed by Defendants is granted, and that this action is dismissed without prejudice.

The report and recommendation of Magistrate Judge Sensenich, dated November 17, 2005, is adopted as the opinion of the court.



David Stewart Cercone
United States District Judge

Notice sent electronically or via U.S. mail to:

Ila Jeanne Sensenich
U.S. Magistrate Judge

Ronda Russell
901 B Drive, Apartment 919
West Mifflin, PA 15122

Paul D. Krepps, Esq.
Marshall, Dennehey, Warner, Coleman & Goggin
600 Grant Street, Suite 2900
Pittsburgh, PA 15219

1. In a Memorandum Order dated December 29, 2005, this motion was denied.